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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-42675-2023
Date of decision: 09.04.2024

JIWAN GARG @ JIWAN KUMAR AND ORS ...Petitioner(s)

VERSUS

STATE OF PUNJAB AND ANOTHER ...Respondent(s)

CORAM: HON'BLE MR. JUSTICE N. S. SHEKHAWAT

Present: Ms. Neeru Bansal, Advocate
for the petitioners.

Mr. M. S. Bajwa, DAG, Punjab.

Mr. Vishnu Dutt, Advocate
for respondents No.2 and 3.

N. S. SHEKHAWAT, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C. for quashing of FIR No. 14 dated 05.04.2019 registered under Sections 406, 420, 120-B of the Indian Penal Code, 1860 at Police Station NRI, SAS Nagar, Mohali (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 09.08.2023 (Annexure P-2).

Vide order dated 28.07.2023 while issuing notice of motion, this Court had directed the parties to appear before the Illaqa Magistrate/trial Magistrate for getting their statements recorded with respect to the compromise dated 09.08.2023 (Annexure P-2).

Pursuant to aforesaid order, the parties have appeared before the learned Judicial Magistrate 1st Class, SAS Nagar, Mohali and got their statements recorded. Report dated 08.04.2024 has been received whereby after recording the statements of the parties, the Court below has shown its satisfaction that the compromise is genuine, voluntary and without any coercion or undue influence.

I have heard counsel for the parties and gone through the case file.

In the light of the satisfaction shown by the Court below and considering the offence for which the accused have been charged are not of serious nature, together with the fact that compromise will go a long way in ironing out the differences for betterment of future life of the parties and also in view of the law laid down in **Gian Singh Vs. State of Punjab and another, 2012 (4) RCR (Criminal) 543** and **Kulwinder Singh and others Vs. State of Punjab 2007(3) RCR (Criminal) 1052**, the present petition for quashing the FIR is allowed qua the petitioner(s).

Resultantly, FIR No. 14 dated 05.04.2019 registered under Sections 406, 420, 120-B of the Indian Penal Code, 1860 at Police Station NRI, SAS Nagar, Mohali (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioner(s).

09.04.2024
M.Sikka

(N. S. SHEKHAWAT)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No